

## UNITED STATES DISTRICT COURT

## DISTRICT OF NEVADA

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RUSSELL BINGAMON,

Case No. 3:23-cv-00480-MMD-CLB

Plaintiff,

ORDER

v.

DEAN PINKHAM, *et al.*,

Defendants.

*Pro se* Plaintiff Russell Bingamon sued police officers under 42 U.S.C. § 1983 for allegedly using excessive force against him in Elko, Nevada. (ECF No. 3 at 3.) Before the Court is United States Magistrate Judge Carla L. Baldwin's Report and Recommendation (ECF No. 19 ("R&R")), recommending that the Court dismiss this case because Plaintiff has not updated his address despite several orders to do so, and grant Defendants' motion to dismiss (ECF No. 10) for the same reason. Objections to the R&R were due February 19, 2024. (ECF No. 19.) To date, no objections to the R&R have been filed. For this reason, and as further explained below, the Court adopts the R&R in full.

Because there was no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Baldwin did not clearly err. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) ("De novo review of the magistrate judges' findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.") (emphasis in original). Judge Baldwin recommends granting Defendants' motion to dismiss and dismissing this case because Plaintiff has not complied with the local rule requiring him to keep the Court apprised of his address, nor has he updated his address despite several orders to do so. (ECF No. 19 at 1, 3.) Judge Baldwin did not clearly err.

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1 It is therefore ordered that the Report and Recommendation of United States  
2 Magistrate Judge Carla L. Baldwin (ECF No. 19) is accepted and adopted in full.

3 It is further ordered that Defendants' motion to dismiss (ECF No. 10) is granted.

4 It is further ordered that this case is dismissed, in its entirety, without prejudice.

5 The Clerk of Court is directed to enter judgment accordingly and close this case.

6 DATED THIS 27<sup>th</sup> Day of February 2024.

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10 MIRANDA M. DU  
11 CHIEF UNITED STATES DISTRICT JUDGE  
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